

**COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND**

Bill No. 07-21 As Amended

Introduced by: Council Member Guthrie

Legislative Day No. 07-18 Date: June 5, 2007

AN ACT to repeal and reenact, with amendments, Article II, Fire Alarm Systems, of Chapter 84, Building, General, of the Harford County Code, as amended; to establish penalties for the activation of certain types of fire alarm systems in non-emergency situations; to establish procedures for enforcement of this Act; and generally relating to fire alarm systems.

By the Council, June 5, 2007

Introduced, read first time, ordered posted and public hearing scheduled

on: July 10, 2007

at: 6:00 p.m.

By order: Barbara J. O'Connor, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on July 10, 2007, and concluded on July 10, 2007.

Barbara J. O'Connor, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter Deleted from existing law. Underlining indicates Language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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As Amended**

1 Section 1. Be It Enacted By the County Council of Harford County, Maryland, that
2 Article II, Fire Alarm Systems, of Chapter 84, Buildings, General, of the Harford County
3 Code, as amended, be, and it is hereby, repealed and reenacted, with amendments, to read
4 as follows:

5 Chapter 84. Buildings, General.

6 Article II. Fire Alarm Systems.

7 Section 84-2. Definitions.

8 In this Article, the following words have the meanings indicated:

9 Alarm system:

10 A. An automatic fire alarm system; and

11 B. A system of manual fire alarm stations that produces an audible signal when
12 activated.

13 Alarm system contractor -- A person who installs, maintains, monitors, alters or services
14 alarm systems. "Alarm system contractor" does not include a person who sells or
15 manufactures alarm systems unless that person installs, maintains, monitors, alters or
16 services alarm systems.

17 Alarm user -- An occupant of a building, structure or facility in which an alarm system is
18 operational.

19 False alarm:

20 A. The activation of an alarm system that causes a response from a volunteer fire
21 company OR ANY FIRE COMPANY RESPONDING AT THE REQUEST OF THE
22 EMERGENCY OPERATION DIVISION, if:

23 (1) The activation is not in response to an actual emergency; and

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1 (2) The activation is not deliberate.

2 B. Includes:

3 (1) A negligently or accidentally activated alarm signal; and

4 (2) An alarm signal activated as the result of a faulty, malfunctioning or improperly
5 installed or maintained alarm system.

6 C. Does not include:

7 (1) An alarm signal activated by unusually severe weather conditions or other causes
8 beyond the control of the alarm user or alarm system contractor; or

9 (2) An alarm signal activated during the first [sixty (60)] 60 calendar days after an
10 alarm system is installed.

11 Section 84-3. False alarms.

12 A. When an alarm system is responsible for a false alarm, the Emergency Operations
13 Division may issue a civil citation to the alarm user if the alarm system has been
14 responsible FOR 2 OR MORE FALSE ALARMS WITHIN A ~~CALENDAR YEAR~~ 12 -
15 MONTH PERIOD. [for:

16 (1) Three (3) or more false alarms in the previous thirty (30) calendar days; or

17 (2) Five (5) or more false alarms in the previous twelve (12) months.]

18 B. The civil citation shall include a fine of:

19 (1) [Fifty dollars (\$50.) for the first citation; and] \$ 100 FOR THE SECOND FALSE
20 ALARM WITHIN A ~~CALENDAR YEAR~~ 12 - MONTH PERIOD;

21 (2) [One hundred dollars (\$100.) for any subsequent citation.] \$ 500 FOR THE
22 THIRD FALSE ALARM WITHIN A ~~CALENDAR YEAR~~ 12 - MONTH PERIOD;

23 AND

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1 (3) \$ 1000 FOR EACH SUBSEQUENT FALSE ALARM WITHIN A ~~CALENDAR~~
2 ~~YEAR~~ 12 - MONTH PERIOD.

3 Section 84-4. Defective alarm systems.

4 A. For the purposes of this subsection, an alarm system is defective if it is
5 responsible FOR 2 OR MORE FALSE ALARMS WITHIN A ~~CALENDAR YEAR~~ 12 -
6 MONTH PERIOD. [for:

7 (1) More than three (3) false alarms in a period of thirty (30) calendar days; or

8 (2) More than five (5) false alarms in a period of twelve (12) months.]

9 B. The Emergency Operations Division shall provide written notice to the alarm user
10 of a defective alarm system.

11 C. Upon receiving notice of a defective alarm system, the alarm user shall:

12 (1) Within [thirty (30)] 30 calendar days after receiving the notice, have the alarm
13 system inspected by an alarm system contractor; and

14 (2) Within [fifteen (15)] 15 calendar days after the inspection, file a written report
15 with the Emergency Operations Division.

16 D. The report shall contain:

17 (1) The results of the inspection;

18 (2) A description of the probable cause of the false alarms; and

19 (3) A description of all actions taken to prevent future false alarms.

20 E. The Emergency Operations Division may issue a civil citation to an alarm user
21 who continues to use a defective alarm system after being notified that the system is
22 defective. The citation shall include a fine of [two hundred dollars (\$200.)] \$ 200. Each
23 day a violation continues is a separate offense.

1 Section 84-5. Notice of service.

2 A. An alarm system contractor shall notify the Emergency Operations Division by
3 telephone before servicing an alarm system.

4 B. The Emergency Operations Division may issue a civil citation to an alarm system
5 contractor who violates Subsection A of this section if, while the contractor is servicing
6 an alarm system, the system is responsible for a false alarm.

7 C. The civil citation shall include a fine of:

8 (1) [Fifty dollars (\$50.)] \$ 100 for the first citation ~~WITHIN A CALENDAR YEAR~~
9 12 - MONTH PERIOD; [and]

10 (2) [One hundred dollars (\$100.)] \$200 for [any subsequent citation.] ~~THE SECOND~~
11 ~~CITATION WITHIN A CALENDAR YEAR~~ 12 - MONTH PERIOD; AND

12 (3) \$1000 FOR EACH SUBSEQUENT CITATION WITHIN A ~~CALENDAR YEAR~~
13 12 - MONTH PERIOD.

14 Section 84-6. Enforcement.

15 [The Law Department shall enforce citations issued under this Article. The Enforcement
16 Authority granted by this section includes the authority to bring appropriate actions in the
17 District Court of Maryland.]

18 A. THE COUNTY TREASURER OR HIS DESIGNEE SHALL NOTIFY ALARM
19 USERS OR ALARM SYSTEM CONTRACTORS OF AMOUNTS OWED TO THE
20 COUNTY AND SHALL MAKE DEMAND THEREFORE, PURSUANT TO THE
21 PROVISIONS OF THIS SECTION.

22 B. ONCE NOTIFIED BY THE TREASURER'S OFFICE, THE USER OR
23 CONTRACTOR WILL HAVE 30 DAYS TO PAY THE AMOUNT OWED.

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1 C. FALSE ALARM FINES FOR BUILDING OWNERS SHALL BE TREATED IN
2 THE SAME MANNER AS PROPERTY TAXES FOR ENFORCEMENT OF
3 PAYMENTS AS PROVIDED IN SECTION 123-32 OF THE HARFORD COUNTY
4 CODE, AS AMENDED. TENANTS WHO HAVE INSTALLED ALARM SYSTEMS
5 SHALL BE RESPONSIBLE FOR FALSE ALARM FINES.

6 D. DELINQUENT FALSE ALARM FINES SHALL BEAR INTEREST AT THE
7 SAME RATE PER MONTH OR ANY FRACTION THEREOF AS PROVIDED IN
8 SECTION 123-27 OF THE HARFORD COUNTY CODE. INVOICES FOR FALSE
9 ALARM FINES ARE TO BE PAID WITHIN 30 DAYS OF THE DATE RENDERED
10 AND WILL BE DEEMED DELINQUENT IF NOT PAID. ANY ADMINISTRATIVE
11 COSTS OR LEGAL FEES THE COUNTY INCURS IN THE COLLECTION OF THE
12 FINES SHALL BE THE RESPONSIBILITY OF THE ALARM USER OR
13 CONTRACTOR.

14 E. THE COUNTY MAY PROCEED BY A SUIT IN A COURT OF COMPETENT
15 JURISDICTION TO COLLECT THE FINES AFTER DEMAND THEREFOR HAS
16 BEEN MADE BY THE COUNTY AND THE PAYMENT THEREOF REFUSED BY
17 THE ALARM USER OR CONTRACTOR.

18 SECTION 84-7. DISBURSEMENT OF FINES.

19 FINES COLLECTED UNDER THIS SECTION WILL BE DEPOSITED TO THE
20 GENERAL FUND.

21 Section 2. And Be It Further Enacted, that this Act shall take effect 60 calendar days
22 from the date it becomes law.

EFFECTIVE: November 5, 2007

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Brief Title False Fire Alarms

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

Barbara J. O'Connor
Council Administrator

Ricky Bonjose
Council President

Date August 7, 2007

Date August 7, 2007

BY THE COUNCIL

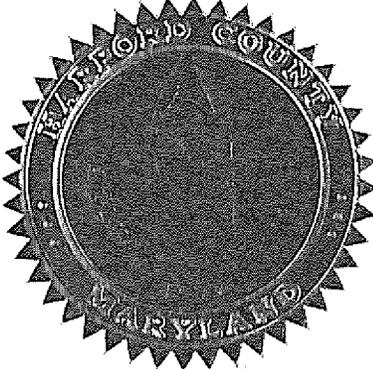
Read the third time.

Passed: LSD 07-22

By Order

Barbara J. O'Connor
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8th day of August, 2007 at 3:00 p.m.



Barbara J. O'Connor
Council Administrator

BY THE EXECUTIVE

~~_____~~
COUNTY EXECUTIVE

APPROVED: Date ~~_____~~

In accordance with Article III, Section 311 of the Harford County Charter, I hereby veto Bill No. 07-21, As Amended.

August 28, 2007
Date

David N. Craig
County Executive

BY THE COUNCIL

This Bill No. 07-21 As Amended, having been passed by the yeas of at least five (5) members of the Council, notwithstanding the objections of the Executive, becomes law on September 4, 2007.

Barbara J. O'Connor Council Administrator

Effective Date: November 5, 2007